

Introduced: 1/8/90  
Referred: Judiciary

6-1695A

BY SEN. RODEY, Kelly, Fischer

1 IN THE SENATE

2

SENATE BILL NO. 351

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to sexual offenses against chil-  
7 dren."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 11.41.434(a) is amended to read:

10 (a) An offender commits the crime of sexual abuse of a minor in  
11 the first degree if

12 (1) being 16 years of age or older, the offender engages in  
13 sexual penetration with a person who is under 13 years of age or aids,  
14 induces, causes, or encourages a person who is under 13 years of age  
15 to engage in sexual penetration with another person;

16 (2) being 18 years of age or older, the offender engages in  
17 sexual penetration with a person who is under 18 years of age and who

18 (A) is entrusted to the offender's care by authority  
19 of law; or

20 (B) is the offender's son or daughter, including an  
21 illegitimate or adopted child, or a stepchild; [OR]

22 (3) being 18 years of age or older, the offender engages in  
23 sexual penetration with a person who is under 16 years of age, and the  
24 victim at the time of the offense is

25 (A) residing as a member of the social unit in the  
26 same household as the offender and the offender is in a position  
27 of authority over the victim; or

28 (B) temporarily entrusted to the offender's care; or

29 (4) being 18 years of age or older, the offender engages in

1 sexual penetration with a person who is 16 or 17 years of age, and at  
2 the time of the offense

3 (A) the victim attends a public or private school that  
4 is high school level or lower; and

5 (B) the offender is authorized by the school or its  
6 school district to work with the students in a paid or voluntary  
7 capacity as part of the curriculum or program of activities of  
8 the school or school district.

9 \* Sec. 2. AS 11.41.436(a) is amended to read:

10 (a) An offender commits the crime of sexual abuse of a minor in  
11 the second degree if

12 (1) being 16 years of age or older, the offender engages in  
13 sexual penetration with a person who is 13, 14, or 15 years of age and  
14 at least three years younger than the offender, or aids, induces,  
15 causes or encourages a person who is 13, 14, or 15 years of age and at  
16 least three years younger than the offender to engage in sexual pene-  
17 tration with another person;

18 (2) being 16 years of age or older, the offender engages in  
19 sexual contact with a person who is under 13 years of age or aids,  
20 induces, causes, or encourages a person under 13 years of age to  
21 engage in sexual contact with another person;

22 (3) being 18 years of age or older, the offender engages in  
23 sexual contact with a person who is under 18 years of age and who

24 (A) is entrusted to the offender's care by authority  
25 of law; or

26 (B) is the offender's son or daughter, including an  
27 illegitimate or adopted child, or a stepchild;

28 (4) being 16 years of age or older, the offender aids,  
29 induces, causes, or encourages a person who is under 16 years of age

1 to engage in conduct described in AS 11.41.455(a)(2) - (6); [OR]  
2 (5) being 18 years of age or older, the offender engages in  
3 sexual contact with a person who is under 16 years of age, and the  
4 victim at the time of the offense is  
5 (A) residing as a member of the social unit in the  
6 same household as the offender and the offender is in a position  
7 of authority over the victim; or  
8 (B) temporarily entrusted to the offender's care; or  
9 (6) being 18 years of age or older, the offender engages in  
10 sexual contact with a person who is 16 or 17 years of age, and at the  
11 time of the offense  
12 (A) the victim attends a public or private school that  
13 is high school level or lower; and  
14 (B) the offender is authorized by the school or its  
15 school district to work with the students in a paid or voluntary  
16 capacity as part of the curriculum or program of activities of  
17 the school or school district.